

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JOE MCKENNEY**, on March 19, 2003 at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Joe McKenney, Chairman (R)
Rep. Jim Keane, Vice Chairman (D)
Rep. Donald Steinbeisser, Vice Chairman (R)
Rep. Bob Bergren (D)
Rep. Rod Bitney (R)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Nancy Fritz (D)
Rep. Dave Gallik (D)
Rep. Kathleen Galvin-Halcro (D)
Rep. Ray Hawk (R)
Rep. Bob Lawson (R)
Rep. Rick Maedje (R)
Rep. Gary Matthews (D)
Rep. Scott Mendenhall (R)
Rep. Penny Morgan (R)
Rep. Allen Rome (R)
Rep. Sandy Weiss (D)
Rep. Bill Wilson (D)

Members Excused: None.

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Alberta Strachan, Committee Secretary

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date (s) Posted SB 254 (3/12/03); SB 249
(3/12/03); SB 275 (3/12/03);
SB 292 (3/12/03)

Executive Action: SB 249 Be Concurred In; SB 254
Be Concurred In; 292 Be
Concurred In

HEARING ON SB 254

Sponsor: SEN. MIKE COONEY, SD 26, Helena

Opening Statement by Sponsor:

SEN. COONEY said this bill regulates rental vehicle entities and customer service representatives with regard to the sale of rental vehicle insurance. It requires training of customer service representatives.

{Tape: 1; Side: A; Approx. Time Counter: 15 - 38}

Proponents' Testimony:

Ronald Ward, Vice President, Enterprise Rental Car Montana, said he supported this bill.

{Tape: 1; Side: A; Approx. Time Counter: 38 - 43}

Riley Johnson, Enterprise Rental Car Montana, said technically, Montana needs this bill. If this bill does not pass, employees of rental car facilities will be required to pass the P & C test.

{Tape: 1; Side: A; Approx. Time Counter: 43 - 94}

Candace Payne, Montana Rental Car Association, said employees working for rental car facilities are comfortable with this legislation.

{Tape: 1; Side: A; Approx. Time Counter: 94 - 106}

Opponents' Testimony: None

Informational Testimony:

Alicia Pichette, Licensing Bureau Chief, State Auditor's Office, said she was available to answer questions.

Questions from Committee Members and Responses:

REP. GALLIK asked Ms. Pichette about the training period of employees if this bill were to be adopted. **Ms. Pichette** indicated she did not know. **SEN. COONEY** said the education would probably be initiated by the State Auditor's Office.

{Tape: 1; Side: A; Approx. Time Counter: 114 - 163}

Closing by Sponsor:

The Sponsor closed.

{Tape: 1; Side: A; Approx. Time Counter: 163 - 178}

HEARING ON SB 249

Sponsor: SEN. MIKE TAYLOR, SD 37, Proctor

Opening Statement by Sponsor:

SEN. TAYLOR said this bill revised and clarified the purpose for which general obligation bonds may be issued for financing and acquiring infrastructure improvements and equipment for aerospace transportation and technology projects. It may also provide the project developer with the right of first refusal for the purchase of real property secured by the bonds of fair market value plus reimbursement to the State for any costs incurred in the issuance of the bonds.

{Tape: 1; Side: A; Approx. Time Counter: 178 - 231}

Proponents' Testimony:

Andy Poole, Department of Commerce, explained the changes in the bill.

{Tape: 1; Side: A; Approx. Time Counter: 231 - 338}

Dave Gibson, Governor's Office, said these projects require some very high technology equipment to compete in dealing with major suppliers. Projects like this require a large investment. The bill helps to provide that investment in Montana. Jobs in the aerospace industry are very good jobs. They require a high skill level. Promoting this industry is a good place to start with this kind of program.

{Tape: 1; Side: A; Approx. Time Counter: 338 - 400}

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

The sponsor closed and indicated that CHAIRMAN MCKENNEY will carry the bill on the House Floor.

{Tape: 1; Side: A; Approx. Time Counter: 400 - 421}

HEARING ON SB 275

Sponsor: SEN. RICK LAIBLE, SD 30, Victor

Opening Statement by Sponsor:

SEN. LAIBLE said this bill revised laws for the collection of judgments and fines. It required that collection fees be added to the amount of the judgment or fine being collected. It increases the length of a judgment lien filed in another county and a judgment lien rendered in Federal Court from six years to ten years. It required earnings withheld from a judgment debtor to be remitted to the sheriff or levying officer within five days of the day the earnings are withheld. It also provided that fees assessed in a municipal court may not exceed those fees assessed by a justice's court. He also explained the changes in the bill.
{Tape: 1; Side: A; Approx. Time Counter: 421 - 500}

Proponents' Testimony:

Michael Moore, Attorney at Law, Montana Collectors Association, said he supported this bill and also advised the Committee he would be available for questions.
{Tape: 1; Side: B; Approx. Time Counter: 1 - 15}

Tom England, Sitron Services, said they were an accounts receivable management business and supported this bill.
{Tape: 1; Side: B; Approx. Time Counter: 15 - 23}

Bob Pyfer, Senior Vice President, Credit Union Network, said they supported this bill.
{Tape: 1; Side: B; Approx. Time Counter: 23 - 28}

Opponents' Testimony: None

Informational Testimony:

Russ Cater, Chief Legal Counsel, Department of Public Health & Human Services, said he would be available for questions.

Richard Rowe, Levying Officer for the State of Montana, said he would be available for questions.

Questions from Committee Members and Responses:

REP. MENDENHALL asked SEN. LAIBLE about his reference to previous legislation which standardized the lien judgments for ten years, and this section of the new bill where areas are not changed.

{Tape: 1; Side: B; Approx. Time Counter: 66 - 116}

REP. BERGREN asked SEN. LAIBLE about his remark concerning collections toward Medicaid. **SEN. LAIBLE** said if a doctor has his car repaired and he does not pay for the repair, a judgment is filed against him, because he is a doctor who services needy people, his wages may still be garnished for payment.

{Tape: 1; Side: B; Approx. Time Counter: 116 - 131}

REP. GALLIK asked Mr. Moore if a final payment to a Justice Court for fees will be negotiated. **Mr. Moore** said "No."

{Tape: 1; Side: B; Approx. Time Counter: 131 - 196}

REP. KEANE asked Mr. Moore about the fee range for collection agencies or what percentage they receive. **Mr. Moore** said the agencies receive between 25% and 30% for collection fees. **REP. KEANE** also asked if an amendment could be written to limit the amount of percentage. **Mr. Moore** said "No."

{Tape: 1; Side: B; Approx. Time Counter: 196 - 270}

Closing by Sponsor:

The sponsor closed.

{Tape: 1; Side: B; Approx. Time Counter: 444 - 500}

HEARING ON SB 292

Sponsor: **SEN. VICKI COCCHIARELLA, SD 32, Missoula**

Opening Statement by Sponsor:

SEN. COCCHIARELLA said this bill exempts, from the Montana Residential Landlord and Tenant Act of 1977, housing provided by the Montana University System and other post secondary education institutions.

{Tape: 2; Side: A; Approx. Time Counter: 1 - 50}

Proponents' Testimony:

Matthew Fisher, Student Affairs, University of Montana, said they operate the residence halls on campus. For them to operate effectively, non-students in the housing facilities would create

an obstacle for students attending the university to obtain affordable housing. There is a significant waiting list for students to enter into the housing.

{Tape: 2; Side: A; Approx. Time Counter: 50 - 110}

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

REP. BITNEY asked **SEN. COCCHIARELLA** for examples of circumstances in the housing at the University. **SEN. COCCHIARELLA** said this bill mostly applies to married student housing situations. A student carried a gun into a dormitory and the student was evicted. Under the bill, as it stands now, a 30-day notice was mandated. This new legislation allows the University System to have someone evicted from the campus immediately. On the other hand, with the 30-day notice provision, if a student had a tragedy at home and needed to return to their home, the student would not be penalized under this legislation.

{Tape: 2; Side: A; Approx. Time Counter: 110 - 202}

REP. MATTHEWS asked **SEN. COCCHIARELLA** about other post secondary institutions which would include Mile City College. **SEN. COCCHIARELLA** said that was the purpose of the language. This bill would apply to all post secondary facilities.

{Tape: 2; Side: A; Approx. Time Counter: 202 - 213}

Closing by Sponsor:

The sponsor closed.

{Tape: 2; Side: A; Approx. Time Counter: 213 - 226}

EXECUTIVE ACTION ON SB 249

{Tape: 2; Side: A; Approx. Time Counter: 226 - 500}

Motion/Vote: **REP. BERGREN** moved that SB 249 BE CONCURRED IN.
Motion carried 18-0.

REP. MCKENNEY will carry the bill on the House Floor.

EXECUTIVE ACTION ON SB 292

Motion/Vote: REP. KEANE moved that SB 292 BE CONCURRED IN.

Motion carried 18-0. (Without objection SB 292 will be placed on the consent calendar.) REP. BITNEY will carry the bill on the House Floor.

EXECUTIVE ACTION ON SB 254

Motion: REP. MORGAN moved that SB 254 BE CONCURRED IN.

Motion: REP. GALLIK moved that SB 254 BE AMENDED.

Discussion:

REP. GALLIK said his amendment would make it mandatory to acquire 15 hours of a training course to sell insurance on a rental car from an authorized rental car agency.

REPS. BERGREN and MENDENHALL supported the Gallik amendment.

REPS. MORGAN, BITNEY and KEANE opposed this amendment.

Vote: A roll call vote was taken on the Gallik amendment.

Motion failed 5-13 with REPS. BERGREN, GALLIK, ROME, WEISS, WILSON voting aye.

Vote: Motion carried 17-1 with REP. BOOKOUT-REINICKE voting no.

REP. KEANE will carry the bill on the House Floor.

ADJOURNMENT

Adjournment: 10:00 A.M.

REP. JOE MCKENNEY, Chairman

ALBERTA STRACHAN, Secretary

JM/AS

EXHIBIT (buh58aad)